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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,588	07/13/2001	Kazuya Sakamoto	862.C2302	9604
5514	7590	10/18/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SINGH, SATWANT K	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/903,588	SAKAMOTO ET AL.
	Examiner Satwant K. Singh	Art Unit 2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 July 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-54 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 13 July 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the amendment filed on 22 July 2005.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 25, 33, 43, and 44 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The subject claims are non-statutory because "storage medium" and "program" has no set definition. The subject claims fail to specify that the storage medium and program must be embodied on a computer readable medium. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 9-12, 17-20, 25-28, 33-36 and 41-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota et al. (US 6,785,013) in view of Suzuki (US 6,549,947).

7. Regarding Claim 1, Ota et al teach a printing apparatus comprising: instruction means for issuing a print cancel instruction ("job abort" command is sent to the CAP process 27); notification means for, in response to the print cancel instruction by said instruction means, notifying a higher-order apparatus of print cancellation, to cause said higher-order apparatus to stop generation of print data; and processing means for, after issuance of the print cancel instruction by said instruction means, deleting the print data until the predetermined data, outputted by said higher-order apparatus in response to a notification of print cancellation by said notification means, is inputted (a "job abort" command is sent to the CAP process 27, a confirmation "job abort" is returned from the CAP process 27 to the JOB process 25, the data in the directory is deleted, and then "shutdown" and confirming "shutdown" commands are exchanged between the JOB process 25 and the CAP process 27. That is, in this operation if a copy operation is being executed and raw video image data has started to be captured by the CAP process 27, if a shutdown occurs before the job is completed, i.e., before all pages of the document of the job have been captured, the job is aborted and none of the previously captured raw video image data is stored) (col. 13, lines 6-18).

Ota et al fail to teach a printing apparatus comprising outputting predetermined data.

Suzuki teaches a printing apparatus comprising outputting predetermined data (data to be indicated on the user interface screen) (col. 6, lines 23-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Ota and the teaching of Suzuki to issue an error display if a print job has been cancelled/aborted.

8. Regarding Claim 2, Ota et al teach a printing apparatus, wherein said predetermined data indicates end of print job (image capture process CAP 27 also receives a "job end" control command from the JOB process 25) (col. 8, lines 40-44).

9. Regarding Claim 3, Ota et al teach a printing apparatus, wherein said predetermined data includes an end mark ("page end") (col. 8, lines 32-38).

10. Regarding Claim 4, Ota et al teach a printing apparatus, further comprising print means for performing printing based on the print data inputted from said higher-order apparatus (peripheral unit (MFP) 10).

11. Claims 9, 17, 25, 33 and 54 are rejected for the same reason as claim 1.

12. Claims 10, 18, 26, and 34 are rejected for the same reason as claim 2.

13. Claims 11, 19, 27, and 35 are rejected for the same reason as claim 3.

14. Claims 12, 20, 28, and 36 are rejected for the same reason as claim 4.

15. Regarding Claim 41, Ota et al teach an information processing apparatus comprising: determination means for, when print data is generated and transferred to a printing apparatus, determining whether or not a notification of print cancellation has been received from the printing apparatus; and transfer means for, if said determination means determines that the notification of print cancellation has been received, stopping

generation of the print data (a "job abort" command is sent to the CAP process 27, a confirmation "job abort" is returned from the CAP process 27 to the JOB process 25, the data in the directory is deleted, and then "shutdown" and confirming "shutdown" commands are exchanged between the JOB process 25 and the CAP process 27. That is, in this operation if a copy operation is being executed and raw video image data has started to be captured by the CAP process 27, if a shutdown occurs before the job is completed, i.e., before all pages of the document of the job have been captured, the job is aborted and none of the previously captured raw video image data is stored) (col. 13, lines 6-18).

Ota et al fail to teach an information processing apparatus comprising:  
transferring predetermined data indicating a break of the print data, deleted after issuance of the notification of print cancellation from the printing apparatus, to the printing apparatus.

Suzuki teaches an information processing apparatus comprising: transferring predetermined data indicating a break of the print data, deleted after issuance of the notification of print cancellation from the printing apparatus, to the printing apparatus (deletion of data when a print job is cancelled) (col. 9, lines 64-67, col. 10 lines 1-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Ota with the teaching of Suzuki to issue an error message when a print job is cancelled/aborted.

16. Claims 42-44 are rejected for the same reason as claim 41.

17. Regarding Claim 45, Ota et al teach a printing apparatus, wherein said higher-order apparatus transmits the print data before a break of command (in this operation if a copy job has 10 pages and the capture controller 20 is turned off after raw video image data of only 5 pages of the copy job have been captured and saved to memory 23) (col. 13, lines 19-23).

Ota et al fail to teach a printing apparatus, wherein said higher apparatus outputs said predetermined data to said printing apparatus, in response to the issuance of the print cancel instruction by said instruction means.

Suzuki teaches a printing apparatus, wherein said higher apparatus outputs said predetermined data to said printing apparatus, in response to the issuance of the print cancel instruction by said instruction means (deletion of data when a print job is cancelled) (col. 9, lines 64-67, col. 10 lines 1-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Ota with the teaching of Suzuki to issue an error message when a print job is cancelled/aborted.

18. Claims 46-53 are rejected for the same reason as claim 45.
19. Claims 5, 7, 13, 15, 21, 23, 29, 31, 37, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota et al and Suzuki as applied to claim 1 above, and further in view of Hirabayashi (US 6,549,936).
20. Regarding Claim 5, Ota et al and Suzuki fail to teach a printing apparatus, wherein communication with said higher-order apparatus is made by packet communication, and wherein said notification means notifies said higher-order

apparatus of the print cancellation, to cause said higher-order apparatus to output dummy data for adjustment of packet data length and to output a packet including predetermined data, in response to the print cancel instruction by said instruction means.

Hirabayashi teaches a printing apparatus, wherein communication with said higher-order apparatus is made by packet communication, and wherein said notification means notifies said higher-order apparatus of the print cancellation, to cause said higher-order apparatus to output dummy data for adjustment of packet data length and to output a packet including predetermined data, in response to the print cancel instruction by said instruction means (Fig. 5A, request data stream) (col. 8, lines 18-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Ota and Suzuki with the teaching of Hirabayashi to use packet communication to communicate with the printing apparatus.

21. Regarding Claim 7, Ota et al and Suzuki fail to teach a printing apparatus, wherein said predetermined data includes a control code indicating end of print job.

Hirabayashi teaches a printing apparatus, wherein said predetermined data includes a control code indicating end of print job (Fig. 5A, request data stream) (col. 8, lines 18-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Ota and Suzuki with the teaching of Hirabayashi to use a control code to escape from the printer command.

22. Claims 13, 21, 29, and 37 are rejected for the same reason as claim 5.

23. Claims 15, 23, 31, and 39 are rejected for the same reason as claim 7.
24. Claims 6, 8, 14, 16, 22, 24, 30, 32, 38, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota et al and Suzuki as applied to claim 1 above, and further in view of Van Buren et al (US 6,667,816).
25. Regarding Claim 6, Ota et al and Suzuki fail to teach a printing apparatus, further comprising means for printing information on the print cancellation on a recording medium on which an image is printed based on print data.

Van Buren et al teach a printing apparatus, further comprising means for printing information on the print cancellation on a recording medium on which an image is printed based on print data (Fig. 16, S16-60).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Ota and Suzuki with the teaching of Van Buren to output an error message indicating the status of the print job.

26. Regarding Claim 8, Ota et al and Suzuki teach a printing apparatus, wherein after the issuance of the print cancel instruction by said instruction means, said processing means inputs the print data from said higher-order apparatus, and deletes the print data until the predetermined data, outputted from said higher-order apparatus in response to the notification of print cancellation by said notification means, is inputted.

Ota et al and Suzuki fail to teach a printing apparatus, wherein after the issuance of the print cancel instruction by said instruction means, said processing means causes paper discharge.

Van Buren et al teach a printing apparatus, wherein after the issuance of the print cancel instruction by said instruction means, said processing means causes paper discharge. (Fig. 1, S16-60).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Ota and Suzuki with the teaching of Van Buren to output an error message indicating the status of the print job.

27. Claims 14, 22, 30 and 38 are rejected for the same reason as claim 6.
28. Claims 16, 24, 32, and 40 are rejected for the same reason as claim 8.

### ***Conclusion***

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Konno et al (US 6,389,248) disclose a printer controller which receives a print job from external equipment and carries out the print job using a printer.

Simpson et al. (US 6,512,592) discloses a printer for receiving a print job from a document processing device.

Neilsen (US 6,639,687) discloses a progress indicated for multiple actions.

Shima (US 6,676,309) discloses embedding job administration information into print job data.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571)

272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Satwant K. Singh  
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Art Unit 2626

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